

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

UNITED STATES OF AMERICA,	:	
	:	CRIMINAL ACTION
v.	:	NO: 1:16-CR-231-01
	:	
JAMES D. FRALEY III,	:	
Defendant,	:	
and	:	
	:	
WELLS FARGO BANK, NA.,	:	
Garnishee.	:	

**CONSENT FINAL DISPOSITION ORDER IN GARNISHMENT AS TO  
PROPERTY HELD BY GARNISHEE WELLS FARGO BANK, NA.**

On October 30, 2023, the Court entered its final Judgment in a Criminal Case against James D. Fraley III ("Defendant"), which imposed, inter alia, criminal monetary penalties in the original amount of \$476,579.95 plus costs and post-judgment interest at the rate of 5.350% compounded annually. The United States of America alleges that as of March 27, 2024, \$232,959.13 remains outstanding (including accrued interest).

On March 25, 2024, the United States applied for, and the Court issued, a writ of continuing garnishment ("Writ") as to Defendant's interest in funds held by Garnishee, Wells Fargo Bank, NA.

Garnishee is in possession, custody, or control of Defendant's property, namely accounts in Defendant's name containing at least \$232,959.13.

The parties have consulted and reached agreement concerning the final disposition. Defendant agrees and stipulates that he has a non-exempt interest in the funds held by Wells Fargo Bank, NA. Defendant acknowledges that the garnished sums will be applied to the outstanding criminal monetary penalties in this case and hereby knowingly waives any rights that he may have under 28 U.S.C. §3205(c)(9) to any automatic accounting.


The Court therefore finds that it is proper to issue a final order on this matter under 28 U.S.C. § 3205(c)(7). Accordingly, it is hereby:

ORDERED and ADJUDGED that Garnishee shall liquidate **\$232,959.13** from savings account ending in 7481 and turnover said amount to the Clerk of Court for the Northern District of Georgia for payment of the outstanding criminal monetary penalties in this case.

It is further ORDERED that payment to the Clerk of Court be made by certified check or money order made payable to the United States District Court Clerk for the Northern District of Georgia, 2211 United States Courthouse, 75 Ted Turner Drive, S.W., Atlanta, Georgia 30303, with reference on the negotiable instrument to: **U.S.A. v. James D. Fraley III, No. 1:16-CR-231.**

It is further ORDERED that upon compliance with this Order, the Writ shall be dissolved as to Garnishee, without prejudice to any further applications for writs of garnishment filed by the United States.

SO ORDERED THIS 27<sup>th</sup> day of March, 2024.

  
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THE HONORABLE RICHARD W. STORY  
UNITED STATES DISTRICT COURT JUDGE

Prepared by:

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